

REMARKS

Claims 4, 11, and 17 have been canceled. Claims 6, 13, 15, and 19 have been previously canceled. Claims 1, 5, 8, 12, 14, 18, 20, and 21 have been amended. Claims 1 through 3, 5, 7 through 10, 12, 14, 16, 18, 20, and 21 remain in the application. A marked up copy of the amended claims are attached hereto as Appendix A.

✓ The drawings were objected to because in the newly proposed Figure 12, reference number "26", which is disclosed as the "rails" in the specification is allegedly pointing to the bottom of the drawer or load floor and should therefore be renumbered "36".

✓ Attached to this Amendment is a copy of the drawing for FIG. 12 with corrections in red to correct "26" to "36" for the Examiner's approval. Formal drawings will be submitted once the application has been allowed. It is respectfully submitted that the attached drawing overcomes the objection and is acceptable.

✓ The disclosure was objected to because of an informality in that the specification does not include a "brief description" of newly added Figure 12.

✓ The Specification has been amended, after paragraph [0017], to correct the informality by adding a brief description of newly added FIG. 12 as suggested by the Examiner on page 2 of the Office Action. It is respectfully submitted that the Specification, as amended, overcomes the objection.

Claims 1, 8, 14, 20, and 21 were objected to because of an alleged informality in the claims. Applicants respectfully traverse this objection.

② { Applicants disagree that the original phrase regarding the striker and latch was awkward. However, to further prosecution of the application, claims 1, 8, 14, 20, and 21 have been amended to recite that either the striker or the latch is connected to either the rearward

*ways
have
not shown*

longitudinal end of the drawer or the vehicle body. It is respectfully submitted that claims 1, 8, 14, 20, and 21 are allowable over the objection.

Claims 1 through 5, 8 through 12, 14, 16 through 18, 20, and 21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Greig (U.S. Patent No. 2,284,419). Applicants respectfully traverse this rejection.

U.S. Patent No: 2,284,419 to Greig discloses a vehicle body. A vehicle body includes a rear panel 10 within which is located a rear deck space or compartment 11. The panel 10 is provided with an opening 12 to permit access to the rear deck space 11, and with a hinged closure or decklid 13 which is adapted to close the opening 12. A moveable or adjustable, and removable unit includes a pair of longitudinally extending transversely spaced channels or members 20 which are mounted on edge upon a transversely extending channel or frame member 21. A box or storage portion 23 of the unit is formed of pressed metal and comprises a floor 24, side walls 25, and a hinged tail gate or closure plate 26. The tail gate 26 is adapted to be held in closed position by means of releasable spring controlled latches 28 which are carried by the side walls 25 and which engage keeper plates 29 carried by the tail gate 26. A releasable latch means or locking devices are provided for maintaining the box in various longitudinally adjusted positions, together with operating or control means for releasing these latches or locking devices. Each of the side walls 25 of the box-like member 23 is provided with spaced brackets 41 and 42 for supporting in substantially horizontal position, a rod 43. The outer end of the rod 43 extends through a longitudinal hole or opening formed in the rear end of the wall 25 and is bent upwardly at 44 to provide a handle portion for the rod 43. The inner end of the rod 43 has an offset end 45 which engages in the looped upper end 47 of a spring pressed locking pin 46. ^A Greig does not disclose a load floor operatively cooperating with rails for sliding movement therealong and including an endgate pivotally attached to a rear longitudinal end thereof having an upright closed

position and a horizontal open position, the endgate closing a longitudinal end portion of the opening of the cargo area when in the upright closed position adjacent a rear of the vehicle, whereby the decklid and the endgate cooperate together to close the opening of the cargo area.

In contradistinction, claim 1, as amended, clarifies the invention claimed as an integrated extendable load floor assembly for a vehicle having a rear end with a floor and sides extending upwardly and along the floor to form a cargo area with an opening and a decklid for closing an upper portion of the opening of the cargo area. The integrated extendable load floor assembly includes a plurality of rails adapted to be disposed upon the sides above the floor of the rear end. The integrated extendable load floor assembly also includes a load floor operatively cooperating with the rails for sliding movement therealong. The load floor includes an endgate pivotally attached to a rear longitudinal end thereof having an upright closed position and a horizontal open position. The endgate closes a longitudinal end portion of the opening of the cargo area when in the upright closed position adjacent a rear of the vehicle, whereby the decklid and the endgate cooperate together to close the opening of the cargo area. The integrated extendable load floor assembly further includes a load floor latching mechanism comprising a striker and a latch. One of the striker and the latch is connected to a forward longitudinal end of the load floor and the other one of the striker and the latch is connected to vehicle structure to latch the load floor in a closed position.

★ A rejection grounded on anticipation under 35 U.S.C. § 102 is proper only where the subject matter claimed is identically disclosed or described in a reference. In other words, anticipation requires the presence of a single prior art reference which discloses each and every element of the claimed invention arranged as in the claim. In re Arkley, 455 F.2d 586, 172 U.S.P.Q. 524 (C.C.P.A. 1972); Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 218 U.S.P.Q.

781 (Fed. Cir. 1983); Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 U.S.P.Q. 481 (Fed. Cir. 1984).

Greig '419 does not disclose or anticipate the claimed invention of claim 1. Specifically, Greig '419 merely discloses a vehicle body including a rear panel with an opening to permit access to a rear deck, a hinged decklid to close the opening, and a moveable unit having a hinged tail gate. Greig '419 lacks a load floor operatively cooperating with rails for sliding movement therealong and including an endgate pivotally attached to a rear longitudinal end thereof having an upright closed position and a horizontal open position, the endgate closing a longitudinal end portion of the opening of the cargo area when in the upright closed position adjacent a rear of the vehicle, whereby the decklid and the endgate cooperate together to close the opening of the cargo area. In Greig '419, the movable unit 23 is completely disposed within the rear deck space 11 in a closed position and the decklid 13 fully closes the opening 12. Greig '419 fails to disclose the combination of an integrated extendable load floor assembly for a vehicle including a load floor operatively cooperating with rails for sliding movement therealong and including an endgate pivotally attached to a rear longitudinal end thereof having an upright closed position and a horizontal open position, the endgate closing a longitudinal end portion of the opening of the cargo area when in the upright closed position adjacent a rear of the vehicle, whereby the decklid and the endgate cooperate together to close the opening of the cargo area as claimed by Applicants. Therefore, it is respectfully submitted that claim 1 and the claims dependent therefrom are allowable over the rejection under 35 U.S.C. § 102(b).

As to claim 8, claim 8, as amended, clarifies the invention claimed as an integrated extendable load floor assembly for a vehicle having a rear storage area with a longitudinal open end including at least one rail adapted to be disposed upon a side of the rear storage area. The integrated extendable load floor assembly also includes a load floor

cooperating with the at least one rail allowing for a selective sliding movement in and out of the rear storage area of the vehicle. The load floor assembly includes a rear panel that is cooperatively attached to a bottom of a rear edge of the load floor allowing selective positioning of the rear panel in an upright closed position and a lower horizontal open position. The rear panel closes the longitudinal open end of the rear storage area when in the upright closed position adjacent a rear of the vehicle. The integrated extendable load floor assembly further includes a load floor latching mechanism comprising a striker and a latch. One of the striker and the latch is connected to a forward longitudinal end of the load floor and the other one of the striker and the latch is connected to vehicle structure to latch the load floor in a closed position. The load floor latching mechanism includes a movable handle disposed on the load floor.

Greig '419 does not disclose or anticipate the claimed invention of claim 8. Specifically, Greig '419 merely discloses a vehicle body including a rear panel with an opening to permit access to a rear deck, a hinged decklid to close the opening, and a moveable unit having a hinged tail gate. Greig '419 lacks a load floor cooperating with at least one rail allowing for a selective sliding movement in and out of a rear storage area of the vehicle and a rear panel that is cooperatively attached to a bottom of a rear edge of the load floor allowing selective positioning of the rear panel in an upright closed position and a lower horizontal open position with the rear panel closing the longitudinal open end of the rear storage area when in the upright closed position adjacent a rear of the vehicle. In Greig '419, the movable unit 23 is completely disposed within the rear deck space 11 in a closed position and the decklid 13 fully closes the opening 12. Greig '419 fails to disclose the combination of an integrated extendable load floor assembly for a vehicle including at least one rail adapted to be disposed upon a side of the rear storage area, a load floor cooperating with at least one rail allowing for a selective sliding movement in and out of a rear storage area of the vehicle and a rear panel that is cooperatively attached to a bottom of a

rear edge of the load floor allowing selective positioning of the rear panel in an upright closed position and a lower horizontal open position with the rear panel closing the longitudinal open end of the rear storage area when in the upright closed position adjacent a rear of the vehicle, and a load floor latching mechanism comprising a striker and a latch to latch a load floor in a closed position and including a movable handle disposed on the load floor as claimed by Applicants. Therefore, it is respectfully submitted that claim 8 and the claims dependent therefrom are allowable over the rejection under 35 U.S.C. § 102(b).

As to claim 14, claim 14, as amended, clarifies the invention claimed as a vehicle including a body including a rear end having a floor and sides extending upwardly and along the floor to form a rear storage area having an opening. The vehicle also includes a decklid pivotally secured to the rear end to close a first portion of the opening of the rear storage area in a closed position and to allow access to the rear storage area in an open position. The vehicle further includes an integrated extendable load floor assembly cooperating with the rear storage area. The integrated extendable load floor assembly includes at least one rail disposed upon each of the sides of the rear storage area and a load floor cooperating with the at least one rail. The load floor has selective sliding movement in and out of the rear storage area of the vehicle. The integrated extendable load floor assembly also includes a rear panel that is cooperatively attached to a bottom of a rear edge of the load floor allowing selective positioning of the rear panel in an upright closed position and a horizontal open position. The rear panel closes a second portion of the opening of the rear storage area when in the upright closed position adjacent a rear of the vehicle, whereby the decklid and the rear panel cooperate together to close the opening of the rear storage area. The integrated extendable load floor assembly further includes a load floor latching mechanism comprising a striker and a latch. One of the striker and the latch is connected to a

rearward longitudinal end of the load floor and the other one of the striker and the latch is connected to the body of the vehicle to latch the load floor in a closed position.

Greig '419 does not disclose or anticipate the claimed invention of claim 14. Specifically, Greig '419 merely discloses a vehicle body including a rear panel with an opening to permit access to a rear deck, a hinged decklid to close the opening, and a moveable unit having a hinged tail gate. Greig '419 lacks a load floor cooperating with at least one rail for selective sliding movement in and out of a rear storage area of a vehicle and including a rear panel that is cooperatively attached to a bottom of a rear edge of the load floor allowing selective positioning of the rear panel in an upright closed position and a horizontal open position with the rear panel closing a second portion of the opening of the rear storage area when in the upright closed position adjacent a rear of the vehicle, whereby the decklid and the rear panel cooperate together to close the opening of the rear storage area. In Greig '419, the movable unit 23 is completely disposed within the rear deck space 11 in a closed position and the decklid 13 fully closes the opening 12. Greig '419 fails to disclose the combination of a vehicle having an integrated extendable load floor assembly including a load floor cooperating with at least one rail for selective sliding movement in and out of a rear storage area of the vehicle and including a rear panel that is cooperatively attached to a bottom of a rear edge of the load floor allowing selective positioning of the rear panel in an upright closed position and a horizontal open position with the rear panel closing a second portion of the opening of the rear storage area when in the upright closed position adjacent a rear of the vehicle, whereby the decklid and the rear panel cooperate together to close the opening of the rear storage area, and a load floor latching mechanism comprising a striker and a latch to latch a load floor in a closed position as claimed by Applicants. Therefore, it is respectfully submitted that claim 14 and the claims dependent therefrom are allowable over the rejection under 35 U.S.C. § 102(b).

As to claim 20, claim 20, as amended, clarifies the invention claimed as an automotive vehicle including a body including a rear end having a floor and sides extending upwardly and along the floor to form a cargo area with an opening. The automotive vehicle also includes a plurality of rails spaced laterally and extending longitudinally between the sides above the floor. The automotive vehicle includes a load floor operatively cooperating with the rails for sliding movement therealong. The automotive vehicle further includes a decklid pivotally secured to the sides to close a first portion of the opening of the cargo area in a closed position and to allow access to the cargo area in an open position and to allow the load floor to be extended when the decklid is in the open position. The automotive vehicle includes an endgate pivotally connected to the load floor and having a closed upright position and an open horizontal position. The endgate closes a second portion of the opening of the cargo area when in the closed upright position adjacent a rear of the vehicle, whereby the decklid and the endgate cooperate together to close the opening of the cargo area. The automotive vehicle also includes an endgate latching mechanism that latches the endgate in the upright closed position. The automotive vehicle further includes a load floor latching mechanism comprising a striker and a latch. One of the striker and the latch is connected to a forward longitudinal end of the load floor and the other one of the striker and the latch is connected to vehicle structure to latch the load floor in a closed position.

Greig '419 does not disclose or anticipate the claimed invention of claim 20. Specifically, Greig '419 merely discloses a vehicle body including a rear panel with an opening to permit access to a rear deck, a hinged decklid to close the opening, and a moveable unit having a hinged tail gate. Greig '419 lacks an endgate pivotally connected to a load floor and having a closed upright position and an open horizontal position with the endgate closing a second portion of the opening of the cargo area when in the closed upright position adjacent a rear of the vehicle,

whereby the decklid and the endgate cooperate together to close the opening of the cargo area. In Greig '419, the movable unit 23 is completely disposed within the rear deck space 11 in a closed position and the decklid 13 fully closes the opening 12. Greig '419 fails to disclose the combination of an automotive vehicle including an endgate pivotally connected to a load floor and having a closed upright position and an open horizontal position with the endgate closing a second portion of the opening of the cargo area when in the closed upright position adjacent a rear of the vehicle, whereby the decklid and the endgate cooperate together to close the opening of the cargo area, an endgate latching mechanism that latches the endgate in the upright closed position, and a load floor latching mechanism comprising a striker and a latch to latch the load floor in a closed position as claimed by Applicants. Therefore, it is respectfully submitted that claim 20 is allowable over the rejection under 35 U.S.C. § 102(b).

As to claim 21, claim 21, as amended, clarifies the invention claimed as a sedan type automotive vehicle including a body including a rear end having a floor and sides extending upwardly and along the floor to form a cargo area with an opening. The sedan type automotive vehicle also includes a load floor for sliding movement in and out of the cargo area and an endgate pivotally connected to the load floor and having a closed upright position and an open horizontal position. The endgate closes a longitudinal end portion of the opening of the cargo area when in the closed upright position adjacent a rear of the vehicle. The sedan type automotive vehicle includes a decklid pivotally secured to the sides and cooperating with the endgate to close the opening of the cargo area in a closed position and to allow access to the cargo area in an open position and to allow objects to be removed from the cargo area when the decklid is in the open position. The sedan type automotive vehicle further includes a load floor latching mechanism comprising a striker and a latch. One of the striker and the latch is


connected to a forward longitudinal end of the load floor and the other one of the striker and the latch is connected to vehicle structure to latch the load floor in a closed position.

Greig '419 does not disclose or anticipate the claimed invention of claim 21. Specifically, Greig '419 merely discloses a vehicle body including a rear panel with an opening to permit access to a rear deck, a hinged decklid to close the opening, and a moveable unit having a hinged tail gate. Greig '419 lacks an endgate closing a longitudinal end portion of the opening of the cargo area when in the closed upright position adjacent a rear of the vehicle and a decklid cooperating with the endgate to close the opening of the cargo area in a closed position. In Greig '419, the movable unit 23 is completely disposed within the rear deck space 11 in a closed position and the decklid 13 fully closes the opening 12. Greig '419 fails to disclose the combination of a sedan type automotive vehicle including an endgate pivotally connected to a load floor with the endgate closing a longitudinal end portion of the opening of the cargo area when in the closed upright position adjacent a rear of the vehicle, a decklid pivotally secured to the vehicle and cooperating with the endgate to close the opening of the cargo area in a closed position, and a load floor latching mechanism comprising a striker and a latch to latch the load floor in a closed position within the cargo area as claimed by Applicants. Therefore, it is respectfully submitted that claim 21 is allowable over the rejection under 35 U.S.C. § 102(b).

Claim 7 was rejected under 35 U.S.C. § 103 as being unpatentable over Greig '419 and further in view of allegedly well known prior art. Applicants respectfully traverse this rejection for the same reasons given above to claim 1.

Based on the above, it is respectfully submitted that the claims are in a condition for allowance or in better form for appeal. Applicants respectfully request reconsideration of the claims and withdrawal of the final rejection. It is respectfully requested that this Amendment be entered under 37 C.F.R. 1.116.

Respectfully submitted,

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APPENDIX AVERSION OF THE CLAIMS WITH MARKINGS TO SHOW THE CHANGES

Please amend claims 1, 5, 8, 12, 14, 18, 20, and 21 as follows:

1. (FOUR TIMES AMENDED) An integrated extendable load floor assembly for a vehicle having a rear end with a floor and sides extending upwardly and along the floor to form a cargo area with an opening and a decklid for closing an upper portion of the opening of the cargo area, said integrated extendable load floor assembly comprising:

a plurality of rails adapted to be disposed upon the sides above the floor of the rear end;

a load floor operatively cooperating with said rails for sliding movement therealong and including an endgate pivotally attached to a rear longitudinal end thereof having an upright closed position and a horizontal open position, said endgate closing [to close] a longitudinal end portion of the opening of the cargo area when in said upright closed position adjacent a rear of the vehicle, whereby the decklid and the endgate cooperate together to close the opening of the cargo area; and

a load floor latching mechanism comprising a striker and a latch, one of said striker and said latch being connected to a rearward longitudinal end of said load floor and the other one of said striker and said latch being connected to the rear end of the vehicle [adapted] to latch said load floor in a closed position [within the cargo area].

A the striker is not shown connected to a rearward long. end of the load floor

the latch is not shown connected to the rear end of the vehicle

5. (AMENDED) An integrated extendable load floor assembly as set forth in claim [4] 1 including a latching mechanism to latch said endgate to said load floor in said upright closed position.

8. (FOUR TIMES AMENDED) An integrated extendable load floor assembly for a vehicle having a rear storage area with a longitudinal open end comprising:

at least one rail adapted to be disposed upon a side of the rear storage area;

a load floor cooperating with said at least one rail allowing for a selective sliding movement in and out of the rear storage area of the vehicle and including a rear panel that is cooperatively attached to a bottom of a rear edge of said load floor allowing selective positioning of the said rear panel in an upright closed position and a lower horizontal open position, said rear panel closing [to close] the longitudinal open end of the rear storage area when in said upright closed position adjacent a rear of the vehicle; and

a load floor latching mechanism comprising a striker and a latch, one of said striker and said latch being connected to a rearward longitudinal end of said load floor and the other one of said striker and said latch being connected to the rear storage area of the vehicle [adapted] to latch said load floor in a closed position [within the rear storage area], said load floor latching mechanism including a movable handle disposed on said load floor.

12. (AMENDED) An integrated extendable load floor assembly as set forth in claim [11] 8 including a rear panel latching mechanism that latches said rear panel in said upright closed position.

14. (FOUR TIMES AMENDED) A vehicle comprising:

a body including a rear end having a floor and sides extending upwardly and along said floor to form a rear storage area having [a longitudinal open end] an opening;

a decklid pivotally secured to said rear end to [cover] close a first portion of said opening of said rear storage area in a closed position and to allow access to said rear storage area in an open position; and

an integrated extendable load floor assembly cooperating with said rear storage area, said integrated extendable load floor assembly including at least one rail disposed upon each of said sides of said rear storage area and a load floor cooperating with said at least one rail, said load floor having selective sliding movement in and out of said rear storage area of the vehicle and including a rear panel that is cooperatively attached to a bottom of a rear edge of said load floor allowing selective positioning of the said rear panel in an upright closed position and a horizontal open position, said rear panel closing [to close said open end] a second portion of said opening of said rear storage area when in said upright closed position adjacent a rear of the vehicle, whereby said decklid and said rear panel cooperate together to close said opening of said rear storage area, and a load floor latching mechanism comprising a striker and a latch, one of said striker and said latch being connected to a rearward longitudinal end of said load floor and the other one of said striker and said latch being connected to the body of the vehicle [adapted] to latch said load floor in a closed position [within said rear storage area].

18. (AMENDED) A vehicle as set forth in claim [17] 14 including a rear panel latching mechanism that latches said rear panel in said upright closed position.

20. (FOUR TIMES AMENDED) An automotive vehicle comprising:

a body including a rear end having a floor and sides extending upwardly and along said floor to form a cargo area with an opening;

a plurality of rails spaced laterally and extending longitudinally between said sides above said floor;

a load floor operatively cooperating with said rails for sliding movement therealong;

a decklid pivotally secured to said sides to [cover] close a first portion of said opening of said cargo area in a closed position and to allow access to said cargo area in an open position and to allow said load floor to be extended when said decklid is in said open position;

an endgate pivotally connected to said load floor and having a closed upright position and an open horizontal position, said endgate closing a second portion of said opening of said cargo area when in said closed upright position adjacent a rear of the vehicle, whereby said decklid and said endgate cooperate together to close said opening of said cargo area;

an endgate latching mechanism that latches said endgate in said upright closed position; and

a load floor latching mechanism comprising a striker and a latch, one of said striker and said latch being connected to a rearward longitudinal end of said load floor and the other one of said striker and said latch being connected to the body of the vehicle [adapted] to latch said load floor in a closed position [within said rear storage area].

21. (FOUR TIMES AMENDED) A sedan type automotive vehicle comprising:

a body including a rear end having a floor and sides extending upwardly and along said floor to form a cargo area with an opening;

a load floor for sliding movement in and out of said cargo area;

an endgate pivotally connected to said load floor and having a closed upright position and an open horizontal position, said endgate closing a longitudinal end portion of said opening of said cargo area when in said closed upright position adjacent a rear of the vehicle;

a decklid pivotally secured to said sides and cooperating with said endgate to [cover] close said opening of said cargo area in a closed position and to allow access to said cargo area in an open position and to allow objects to be removed from said cargo area when said decklid is in said open position; and

a load floor latching mechanism comprising a striker and a latch, one of said striker and said latch being connected to a rearward longitudinal end of said load floor and the other one of said striker and said latch being connected to the body of the vehicle [adapted] to latch said load floor in a closed position [within said cargo area].